

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Marquez Martinez et al.,

Plaintiffs,

-against-

5P Holdings LLC et al.,

Defendants.

USDC SDNY
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1:18-cv-03443 (SDA)

ORDER

STEWART D. AARON, United States Magistrate Judge:

This case contains claims under the Fair Labor Standards Act. On January 2, 2019 an Order was issued on the parties' consent, referring disposition of this matter to the undersigned pursuant to 28 U.S.C. § 636(c). (ECF No. 86.) Having reviewed the proposed settlement, the Court finds that it is fair and reasonable.¹ See *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199 (2d Cir. 2015). The settlement is approved.

Accordingly, this action is dismissed with prejudice and without costs except as may be stated in the settlement agreement. The Clerk is requested to close the case.

SO ORDERED.

¹ The Court notes that it finds the hourly rates of \$225-\$300 sought by certain of Plaintiffs' counsel with three or fewer years of experience to be excessive based on typical rates awarded in this District. See *Sanchez v. Jyp Foods Inc.*, No. 16-CV-04472 (JLC), 2018 WL 4502008, at *15 (S.D.N.Y. Sept. 20, 2018) ("Associates with at least four years of experience . . . are typically awarded fees of about \$200 to \$275 per hour" and "[c]ounsel with less experience are typically awarded lower hourly rates between \$150 and \$200 per hour.") (internal quotation omitted) (collecting cases). Nonetheless, because the fees to be recovered by Plaintiff's counsel are significantly less than the alleged "lodestar" amount, any appropriate adjustment to the lodestar based on lower hourly rates still would be greater than the fees Plaintiffs' counsel stands to recover. Thus, the Court is satisfied that the amount of attorneys' fees is fair and reasonable.

DATED: New York, New York
February 13, 2019

Stewart D. Aaron

STEWART D. AARON
United States Magistrate Judge